

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application.

35 U.S.C. § 101

Claims 1-9 and 52-70 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicant has amended claims 1 and 59 herein. Applicant submits that claim 1, as amended, is directed to statutory subject matter. In particular, amended claim 1 recites various steps that are performed by a processor. Further, amended claim 59 recites various steps that are performed by a financial management system. For at least these reasons, Applicant submits that claims 1-9 and 52-70 (as amended) are directed to statutory subject matter. Accordingly, Applicant respectfully requests that the §101 rejection be withdrawn.

35 U.S.C. § 103

Claims 1-10 and 52-71 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,018,722 to Ray et al. (hereinafter "Ray"). Applicant respectfully submits that claims 1-10 and 52-71 are patentable over Ray.

Ray discloses:

A computer implemented expert securities portfolio investment management system which operates as Registered Investment Advisor. The system automatically defines personal customer objectives, designs individualized investment portfolios, adjusts portfolios for economic environment, researches and selects specific securities, evaluates and determines the proper time to buy and sell customer securities, generates orders to buy and sell customer securities, updates customer account information and provides tax and performance reports. Research data and

personal account information are updated on a timely, periodic basis. (Ray Abstract).

The disclosure of the Ray reference focuses on a typical brokerage account or portfolio. "This powerful tool enables untrained individuals to manage their portfolio with superior expertise, integrity and single minded devotion to achieving their personal objectives, and avoids the need for investors to interact with a salesperson." Col. 2, lines 10-14. "Fig. 4 is a flow chart describing the expert system automatic management process;" Col. 3, lines 51-52. Fig. 4 of Ray shows a single customer brokerage account, labeled with reference number 128. Thus, Ray discloses managing holdings in individual accounts or individual portfolios. For example, Ray discloses tools related to selling holdings in a brokerage account and buying holdings in the brokerage account.

Claim 1 of the present application, as amended, recites:

A method comprising:

a processor identifying a rule associated with a first financial account, wherein the first financial account is associated with a first financial institution;

the processor identifying a rule associated with a second financial account, wherein the second financial account is associated with a second financial institution, and wherein the first financial account and the second financial account have a common account holder;

the processor applying the rules associated with the first financial account and the second financial account to determine whether an adjustment of assets among the first financial account and the second financial account is beneficial; and

generating a recommendation describing the adjustment of assets if the adjustment is beneficial.

As discussed above, the Ray reference discloses a brokerage account for each customer at a single financial institution, such as a brokerage firm. The Ray reference fails to disclose or suggest a processor that applies “the rules associated with the first financial account and the second financial account to determine whether an adjustment of assets among the first financial account and the second financial account is beneficial”, as recited in amended claim 1. Instead, Ray discloses analyzing a single account, such as a brokerage account, at a single financial institution, such as a brokerage firm. Thus, Ray fails to disclose the application of rules as recited in claim 1.

Applicant submits that the Ray reference provides no motivation to provide a processor that applies “the rules associated with the first financial account and the second financial account to determine whether an adjustment of assets among the first financial account and the second financial account is beneficial”. Ray fails to disclose or suggest such an operation using different accounts at different financial institutions. Such activity is contrary to the teachings of Ray.

Thus, for at least these reasons, Applicant respectfully submits that amended claim 1 is allowable over the Ray reference. Given that claims 2-10, 52-53, and 56-58 depend from claim 1, Applicant respectfully submits that those claims are likewise allowable over the Ray reference for at least the reasons discussed above.

Claim 59 of the present application, as amended, recites:

A method comprising:
a financial management system identifying a first account balance associated with a first account, wherein the first account is associated with a first financial institution;
the financial management system determining whether the first account balance exceeds a particular value; and
if the first account balance exceeds the particular value, the financial management system recommending a transfer of funds from the first account to a second account associated with a second financial institution, wherein the first account and the second account have a common account holder, and wherein the recommendation to transfer funds identifies an amount to be transferred equal to the value by which the first account balance exceeds the particular value.

Applicant submits that the Ray reference fails to disclose or suggest “determining whether the first account balance exceeds a particular value” and “if the first account balance exceeds the particular value, the financial management system recommending a transfer of funds from the first account to a second account associated with a second financial institution”, as recited in amended claim 59. Ray fails to disclose or suggest the use of a “particular value” by a financial management system as recited in claim 59.

Thus, for at least these reasons, Applicant respectfully submits that amended claim 59 is allowable over the Ray reference. Given that claims 60-67, 71, and 78-81 depend from claim 59, Applicant respectfully submits that those claims are likewise allowable over the Ray reference for at least the reasons discussed above.

Applicant respectfully requests that the §103 rejections be withdrawn.

New Claims


Applicant submits that new claims 72-77 are allowable over Ray for at least the reasons discussed above.

Conclusion

Claims 1-10, 52, 53, 56-67, and 71-81 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

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